



General Assembly

February Session, 2010

Raised Bill No. 231

LCO No. 1061

01061_____PS_

Referred to Committee on Public Safety and Security

Introduced by:
(PS)

AN ACT CONCERNING DELINQUENT LOTTERY SALES AGENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 12-569 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) If the president of the Connecticut Lottery Corporation
4 determines that any lottery sales agent has breached [his] such agent's
5 fiduciary responsibility to the corporation in that the account of such
6 lottery sales agent with respect to moneys received from the sale of
7 lottery tickets has become delinquent in accordance with regulations
8 adopted as provided in section 12-568a, the president shall notify the
9 executive director of the breach of fiduciary duty and the executive
10 director shall impose a delinquency assessment upon such account
11 equal to ten per cent of the amount due or ten dollars, whichever
12 amount is greater, plus interest at the rate of one and one-half per cent
13 of such amount for each month or fraction of a month from the date
14 such amount is due to the date of payment. [Subject] Except as
15 provided in subsection (b) of this section, and subject to the provisions
16 of section 12-3a, the executive director may waive all or part of the

17 penalties provided under this subsection when it is proven to [his] the
 18 executive director's satisfaction that the failure to pay such moneys to
 19 the state within the time allowed was due to reasonable cause and was
 20 not intentional or due to neglect. Any such delinquent lottery sales
 21 agent shall be notified of such delinquency assessment and shall be
 22 afforded an opportunity to contest the validity and amount of such
 23 assessment before the executive director who [is hereby authorized to]
 24 may conduct such hearing. Upon request of the president of the
 25 Connecticut Lottery Corporation, the executive director may prepare
 26 and sign a warrant directed to any state marshal, constable or any
 27 collection agent employed by the Connecticut Lottery Corporation for
 28 distraint upon any property of such delinquent lottery sales agent
 29 within the state, whether personal or real property. An itemized bill
 30 shall be attached [thereto] to the warrant certified by the executive
 31 director as a true statement of the amount due from such lottery sales
 32 agent. Such warrant shall have the same force and effect as an
 33 execution issued in accordance with chapter 906. Such warrant shall be
 34 levied on any real, personal, tangible or intangible property of such
 35 agent and sale made pursuant to such warrant in the same manner and
 36 with the same force and effect as a levy and sale pursuant to an
 37 execution.

38 (b) Notwithstanding section 12-3a, if the lottery sales agent has been
 39 delinquent for a period of more than five years, the executive director
 40 may negotiate with such delinquent lottery sales agent for the purpose
 41 of collecting all or a portion of the amount of the assessment imposed
 42 in accordance with subsection (a) of this section.

43 (c) The executive director, with the advice and consent of the board,
 44 shall adopt regulations in accordance with chapter 54 to carry out the
 45 purposes of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2010	12-569

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Statement of Purpose:

To allow the executive director of the Division of Special Revenue to negotiate settlements with delinquent lottery sales agents.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]